

3. In making such an application, a plaintiff must state the facts concerning his or her poverty with some degree of particularity, definiteness or certainty. *United States ex rel. Roberts v. Pennsylvania*, 312 F. Supp. 1, 2 (E.D. Pa. 1969) (finding affiant's application legally insufficient where the application failed to state the facts of affiant's poverty with any degree of particularity, definiteness or certainty) (citing *United States v. Coor*, 213 F. Supp. 955, 956 (D.D.C. 1963), *rev'd*

on other grounds, 325 F.2d 1014 (D.C. Cir. 1963); *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir. 1960)).

4. On September 15, 2008, this Court entered an Opinion and Order (“Opinion and Order”) denying Plaintiff’s Application because Plaintiff failed to state the facts concerning his poverty with some degree of particularity or certainty and granting Plaintiff leave to file an amended application to proceed *in forma pauperis* within 20 days of the date of the Opinion and Order.

5. On September 23, 2008, Plaintiff filed his amended application to proceed in this matter *in forma pauperis* (“Amended Application”). In the Amended Application, Plaintiff stated that his average income is less than \$200 per week and currently receives government assistance in the form of Medicaid and food stamps. (Am. Appl. at 1). Plaintiff further stated that the balance in his bank account has been less than \$10 for the past several months. *Id.* at 2.

IT IS THEREFORE on this 30th day of September, 2008,

ORDERED that Plaintiff’s application to proceed *in forma pauperis* is GRANTED; and it is further

ORDERED that the Clerk shall serve this Order upon Plaintiff by regular U.S. mail.

s/ Garrett E. Brown, Jr.
GARRETT E. BROWN, JR., U.S.D.J.